

Ropers Majeski Kohn & Bentley  
A Professional Corporation  
Redwood City

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**\*E-FILED - 2/12/09\***

Attorneys for Plaintiffs  
THOMAS CIRrito, AN INDIVIDUAL; AND  
ATOCHA LAND, LLC, A DELAWARE LIMITED  
LIABILITY COMPANY

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN JOSE DIVISION

THOMAS CIRrito, an individual; and  
ATOCHA LAND, LLC, a Delaware  
limited liability company,

Plaintiffs,

v.

RNC HOLDINGS, LLC, a Nevada limited  
liability company; RONALD  
BUCHHOLZ, an individual; CHARICE  
FISCHER (also known as CHARICE  
BUCHHOLZ), an individual; and DOES 1  
through 50, inclusive,

Defendants.

CASE NO. C08 03477RMW

STIPULATION AND ~~PROPOSED~~  
ORDER TO EXTEND MEDIATION  
DEADLINE

Plaintiffs THOMAS CIRrito and ATOCHA LAND, LLC ("Plaintiffs") and Defendants  
RNC HOLDINGS, LLC, RONALD BUCHHOLZ, and CHARICE FISCHER (also known as  
CHARICE BUCHHOLZ) ("Defendants"), through their respective, undersigned counsel,  
stipulate and request a continuance of the last date to complete mediation.

WHEREAS the pre-trial schedule and trial date have been set in this matter;

WHEREAS the last date to complete mediation is February 4, 2009;

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RC1/5249354.1/TC3

- 1 -

STIPULATION AND ~~PROPOSED~~ ORDER TO  
EXTEND MEDIATION DEADLINE (LONE TREE)  
CASE NO. C08 03477RMW

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1 WHEREAS there is presently pending an Application for Right to Attach Order  
2 ("RTAO") in the related matter of Trachsel v. Solomon Capital, et al (Case No. C08 02248RMW)  
3 which is set to be heard on February 13, 2009;

4 WHEREAS the parties have met and conferred and have agreed that at this time it is most  
5 economical to postpone the last date to complete mediation for six months to July 17, 2009;

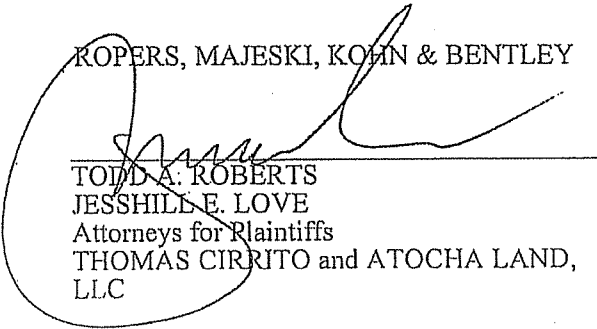
6 WHEREAS the parties have met and conferred and have agreed to Patrick Robbins of  
7 Shearman & Sterling as a mediator; and

8 The parties in the above-captioned matter, by and through their attorneys of record, hereby  
9 stipulate to continue the last date to complete mediation from February 4, 2009 to July 17, 2009.

10 IT SO STIPULATED.

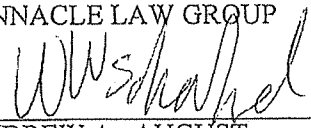
11 Dated: February 11, 2009

ROPER, MAJESKI, KOHN & BENTLEY

  
TODD A. ROBERTS  
JESSHILL E. LOVE  
Attorneys for Plaintiffs  
THOMAS CIRRITO and ATOCHA LAND,  
LLC

16  
17 Dated: February 4, 2009

PINNACLE LAW GROUP

  
ANDREW A. AUGUST  
WILLIAM W. SCHOFIELD  
Attorneys for Defendants  
RNC HOLDINGS, LLC; RONALD  
BUCHHOLZ; and CHARICE FISCHER

22  
23 IT IS SO ORDERED.

24 Dated: 2/12, 2009

  
HONORABLE RONALD M. WHYTE  
U.S. DISTRICT COURT JUDGE